

## **REMARKS**

This is the response to the Final Office Action dated March 14, 2007. Applicant notes the filing of this Amendment and Response prior to the two (2) month deadline of May 14, 2007.

Claims 1-105 are now pending in the reissue application. Claim 1 has been amended. A duly executed revised Reissue Declaration is submitted herewith.

### **I. 37 C.F.R. 1.173(b)**

The Examiner stated that the preliminary amendment filed on 6/1/04 failed to comply with 37 CFR 1.173(b)(2) and (d). Applicant notes that only claim 1 was amended in the above-referenced Preliminary amendment.

In response, Applicant has now amended claim 1 to place all subject matter being deleted between brackets.

Accordingly, the amended claim is now believed to comply with 37 CFR 1.173(b) and (d). Withdrawal of the rejection is respectfully requested.

### **II. DEFECTIVE REISSUE OATH/DECLARATION**

The Examiner has objected to the Reissue Oath as being defective because it fails to identify at least one error which is relied upon to support the reissue application. In addition, the Examiner rejected claims 1-105 as being based upon a defective Reissue Declaration.

Applicant acknowledges with appreciation the informal telephone interviews granted by Examiner Dang on April 18, 2007 and Examiner Glick on April 20, 2007.

Applicant has revised the Reissue Declaration to further and more specifically describe the error(s) upon which the Reissue is based, and submits copies of the revised Reissue Declaration herewith duly executed by the inventors, Steven M. Maus and George J. Galic. Namely, the Reissue Declaration has been amended to identify by reference the specific original claim and the specific language wherein lies the error(s).

Accordingly, withdrawal of the objection to the Reissue Declaration as well as withdrawal of the rejection of claims 1-105 is respectfully requested. Early and favorable action is earnestly solicited.

### CONCLUSION

In view of the above amendments, remarks and revised and duly executed Reissue Declaration attached herewith, withdrawal of the objection to the Reissue Declaration and Preliminary amendment, as well as withdrawal of the rejection of claims 1-105 is respectfully requested. Early and favorable action and allowance of the application is earnestly solicited. The Examiner is encouraged to contact the undersigned should additional issues exist or arise.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-1433.

Respectfully submitted,

Date:

5/11/07

By:



Susan Paik  
Reg. No. 46,347

**Mailing Address:**

**KEUSEY, TUTUNJIAN & BITETTO, P.C.**  
**20 Crossways Park North, Suite 210**  
**Woodbury, New York 11797**  
**TEL: (516) 496-3868**  
**FAX: (516) 496-3869**